IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

WP(C).No. 24388 of 2004(C)

PETITIONER:

A.SHANMUKHAN, AGED 55 YEARS,
S/O.AYYAPPAN, PEON (RTD) O/O.THE ASSISTANT EDUCATIONAL OFFICER, AMBALAPPUZHA (R/A. VAIMBALA KOMANA, AMBALAPPUZHA, ALAPPUZHA DISTRICT.

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA

RESPONDENTS:
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1. **THE STATE OF KERALA, REP. BY ITS SECRETARY TO GOVERNMENT, GENERAL EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE DIRECTOR OF PUBLIC INSTRUCTION, JAGATHY, TRIVANDRUM - 14.**

3. **THE DEPUTY DIRECTOR OF EDUCATION, ALAPPUZHA.**

4. **THE ASSISTANT EDUCATIONAL OFFICER, AMBALAPPUZHA, ALAPPUZHA DISTRICT.**

5. **THE SUB TREASURY OFFICER, AMBALAPPUZHA, ALAPPUZHA DISTRICT.**

BY GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1:	**COPY OF THE LETTER NO.P-03/PEN.A/596/OR/04-04/1404 OF THE AG, TRIVANDRUM DTD. 27/01/2004.**
EXT.P2:	**COPY OF THE GRATUITY PAYMENT ODR DTD. 03/06/2004.**
EXT.P3:	**COPY OF THE COMMUTATION PAYMENT ORDER DTD. 03/06/2004.**
EXT.P4:	**COPY OF THE NOTICE NO.A/930/04 OF THE 4TH RESPONDENT DTD. 29/03/2004.**
EXT.P5:	**COPY OF THE IDENTITY CARD DTD. 23/05/2002.**
EXT.P6:	**COPY OF THE RATION CARD DTD. NIL.**
EXT.P7:	**COPY OF THE SERVICE BOOK OF THE PETITIONER DTD. NIL.**
EXT.P8:	**COPY OF THE REPRESENTATION OF THE PETITIONER DTD. 13/05/2004.**
EXT.P9:	**COPY OF THE LETTER OF THE HEADMISTRESS OF GOVT. B.HY.S.SCHOOL, CHERTHALA DTD. 26/04/2004.**
EXT.P10:	**COPY OF THE DISCHARGE CARD OF THE MEDICAL COLLEGE HOSPITAL, ALAPPUZHA DTD. 23/06/2004.**
EXT.P11:	**COPY OF THE CIRCULAR NO.31/85/FIN. OF GOVT. DTD. 10/04/1985.**
EXT.P12:	**COPY OF THE CIRCULAR NO.5472/C3/2001/G.EDN. OF THE GOVERNMENT DTD. 05/03/2001.**

/TRUE COPY/

Kss

KURIAN JOSEPH, J.

W.P.(C) No.24388 of 2004

Dated 21st February, 2007.

J U D G M E N T

Petitioner approached this Court aggrieved by the delay in settling the pensionary benefits. It is submitted by the learned Government Pleader that only owing to a complaint filed by one Mohanan regarding the age discrepancy, the settlement was delayed. It is further submitted that the complaint was subsequently found to be without any substance. In the above circumstances, the writ petition is disposed of directing the respondents to settle and disburse the benefits due to the petitioner, if not already disbursed, within a period of two months from the date of production of a copy of the judgment by the petitioner. The DCRG shall carry interest at the rate of 8% from 1.1.2005.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

W.P.(C)No. of 2002

J U D G M E N T

Dated 21st February, 2007.